
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, MAY 4, 2017.

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Thursday, May 4, 2017.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

Loving God, we ask Your blessing upon our State Representatives and all who work in our State House and for the many visitors who come to visit this historic edifice.

Prayer.

God of Creation, God of Bounty, we give You thanks today for our fine weather, we give You thanks especially for the sufficient rainfall our Commonwealth has received this Spring season.

We give You thanks especially for our native fruit, the cranberry. It was on this day that the cranberry became the official fruit of Massachusetts in 1970. Contributing over \$50 million to our state economy and over 1,700 jobs, the small farms located in and around Massachusetts' bogs and marshes produce almost 20% of the world's cranberry product.

May God continue to bless our Commonwealth.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Silent Prayer.

At the request of Mr. Collins of Boston, the members, guests and employees stood in a moment of silent tribute to the memory of Charles E. Costello, Jr., of South Boston, formerly of Charlestown. Mr. Costello served his country in Vietnam in the United States Army. He leaves behind his beloved wife Kathleen and their daughter Kara.

Charles E.
Costello, Jr.

Messages from the Governor.

A message from His Excellency the Governor (under Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to the conveyance of a certain parcel of land by the town of Deerfield (House, No. 3670), was filed in the office of the Clerk on Wednesday, May 3.

Deerfield,—
land.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

A message from His Excellency the Governor recommending legislation relative to modernizing the Massachusetts wiretap law (House, No. 3671), was filed

Wiretaps.

in the office of the Clerk on Tuesday, May 2.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on the Judiciary. Sent to the Senate for concurrence.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Messrs. Jones of North Reading and Dwyer of Woburn) recognizing Bill Brown's contributions to the town of Reading as a fifty-year town meeting member;

Bill
Brown.

Resolutions (filed by Mr. Dooley of Norfolk) congratulating Benjamin Chipman on receiving the Eagle Award from the Boy Scouts of America;

Benjamin
Chipman.

Resolutions (filed by Mr. Dooley of Norfolk) congratulating Luke Fitch on receiving the Eagle Award from the Boy Scouts of America;

Luke
Fitch.

Resolutions (filed by Mr. Dooley of Norfolk) congratulating Peter Grabner on receiving the Eagle Award from the Boy Scouts of America;

Peter
Grabner.

Resolutions (filed by Representatives Dooley of Norfolk and Garlick of Needham) congratulating Daniel Edward Kelley on receiving the Eagle Award from the Boy Scouts of America;

Daniel
Kelley.

Resolutions (filed by Representatives Dooley of Norfolk and Garlick of Needham) congratulating John M. Messina, Jr., on receiving the Eagle Award from the Boy Scouts of America;

John
Messina.

Resolutions (filed by Representatives Dooley of Norfolk and Garlick of Needham) congratulating Alexander Klein Rollins on receiving the Eagle Award from the Boy Scouts of America;

Alexander
Rollins.

Resolutions (filed by Representatives Dooley of Norfolk and Garlick of Needham) congratulating Evan A. Springer on receiving the Eagle Award from the Boy Scouts of America;

Evan
Springer.

Resolutions (filed by Representatives Dooley of Norfolk and Garlick of Needham) congratulating Lucas Zikai Zheng on receiving the Eagle Award from the Boy Scouts of America;

Lucas
Zheng.

Resolutions (filed by Representatives Kelcourse of Amesbury, Hill of Ipswich, Mirra of West Newbury, Tucker of Salem and Hogan of Stow) commending Cure SPG47, Inc. and the Edwards family on its recognition of May 2017 as SPG47 Awareness Month;

SPG47
Awareness
Month.

Resolutions (filed by Mr. Linksy of Natick) congratulating Will Cardi Kadison on receiving the Eagle Award of the Boy Scouts of America;

Will
Kadison.

Resolutions (filed by Mr. Linsky of Natick) congratulating Justin Michael Sullivan on receiving the Eagle Award of the Boy Scouts of America;

Justin
Sullivan.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Matthew Berluti on receiving the Eagle Award for the Boy Scouts of America;

Matthew
Berluti.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Cameron Clasby on receiving the Eagle Award for the Boy Scouts of America;

Cameron
Clasby.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Ryan Marten on receiving the Eagle Award for the Boy Scouts of America;

Ryan
Marten.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Robert Maughn on receiving the Eagle Award for the Boy Scouts of America; and

Robert
Maughn.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating John Rogers

John
Rogers.

on receiving the Eagle Award for the Boy Scouts of America;

Mr. Galvin of Canton, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. McGonagle of Everett, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communications.

Communications

From the Department of Elementary and Secondary Education (see Section 89(kk) of Chapter 71 of the General Laws) submitting the Charter School Enrollment Data annual report;

Charter school enrollment.

From the Department of Elementary and Secondary Education (see item 7010-0012 of Section 2 of Chapter 182 of the Acts of 2008) submitting the METCO program report;

METCO.

From the Department of Elementary and Secondary Education, in consultation with the Executive Office for Administration and Finance and the Executive Office of Health and Human Services (see Section 165 of Chapter 133 of the Acts of 2016) on the calculation of low-income students within public school districts as it relates to determining the number of low-income students in the distribution of funding pursuant to chapters 70 and 76 of the General Laws;

Low-income Students,— funding.

From the Department of Transitional Assistance (see Section 2(B)(r) of Chapter 18 of the General Laws) submitting a report detailing the number of eligible noncitizen status recipients receiving cash assistance under transitional aid to families with dependent children;

Transitional assistance,— eligible noncitizens.

From the Department of Transitional Assistance (see Section 32 of Chapter 158 of the Acts of 2014) on the efforts of said department to develop, implement, and maintain a plan to reduce the use of paper records and documentation and to eliminate the sole reliance on paper records; and

Transitional assistance,— paper records.

From the Department of Transitional Assistance (see item 4401-1000 contained in Section 2 of Chapter 133 of the Acts of 2016) of the outcomes of employment and training services for recipients of benefits provided under the Transitional Aid to Families with Dependent Children program;

Transitional assistance,— employment and training.

Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Scaccia of Boston, a petition (accompanied by bill, House, No. 3672) of Angelo M. Scaccia, Sal N. DiDomenico and Daniel J. Ryan (with the approval of the mayor and city council) relative to nomination petitions for elections in the city of Boston. To the committee on Election Laws.

Boston,— elections.

By Mr. Moran of Lawrence, a petition (accompanied by bill, House, No. 3674) of Frank A. Moran and others (with the approval of the mayor and city council) that the city of Methuen be authorized to appoint Sean Fountain to the position of permanent intermittent police officer, notwithstanding the provisions of the charter of said city. To the committee on Public Service.

Methuen,— Sean Fountain.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Chan of Quincy, a petition (subject to Joint Rule 12) of Tackey Chan for legislation to include the compensation of employees of the Massachusetts Water Resources Authority for certain retirement purposes.

Water Resources
Authority,—
compensation.

By Mr. Kulik of Worthington, a petition (subject to Joint Rule 12) of Stephen Kulik relative to providing for the annual observance of the month of March as Massachusetts maple month and designating pure Massachusetts maple syrup as the official sweetener of the Commonwealth.

Maple
month.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

A Bill authorizing the trustees of the bathing beaches in the town of Hingham to enter into a lease for the operation of the bathhouse facility and surrounding grounds (Senate, No. 22) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Hingham,—
bathing
beaches.

Mr. Murphy of Weymouth, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the bill was read a second time forthwith; and it was ordered to a third reading.

Bills

Amending the charter of the city of Lowell (Senate, No. 1125) (on a petition) [Local Approval Received];

Lowell,—
charter.

Authorizing the city of Leominster to pay a certain unpaid bill (Senate, No. 1132) (on a petition) [Local Approval Received]; and

Leominster,—
unpaid bill.

Establishing a sick leave bank for Gail Normandin, an employee of the Executive Office of Labor and Workforce Development (Senate, No. 2059) (on Senate bill No. 2049);

Gail Normandin,—
sick leave.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Petitions severally were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2062) of Cynthia S. Creem for legislation relative to internet service providers. To the committee on Economic Development and Emerging Technologies.

Internet service,—
providers.

Petition (accompanied by bill, Senate, No. 2063) of Cynthia S. Creem for legislation to prevent illegal trafficking of firearms. To the committee on Public Safety and Homeland Security.

Firearms,—
trafficking.

Reports of Committees.

By Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Petition (accompanied by bill) of Timothy R. Whelan and others relative to establishing a low-vision registry and improving access to information for the Commonwealth Registry of the Blind. To the committee on Children, Families and

Low vision
registry.

Persons with Disabilities.

Petition (accompanied by bill) of Michael J. Finn relative to using driving history as a rating or underwriting factor for private passenger motor vehicle insurance. To the committee on Financial Services.

Petition (accompanied by bill) of Timothy R. Whelan and others relative to penalties for neglectful dog ownership. To the committee on the Judiciary.

Petition (accompanied by bill) of Patricia A. Haddad and others relative to the disclosure of customer proprietary information by internet service providers. To the committee on Telecommunications, Utilities and Energy.

Petition (accompanied by bill) of Timothy R. Whelan for legislation to designate a certain bridge in the town of Yarmouth as the George Allaire memorial bridge; and

Petition (subject to Joint Rule 12) of Timothy R. Whelan, William L. Crocker, Jr., and Julian Cyr for legislation to designate a certain overpass over Route 6 as the Lance Corporal William Joseph Donovan, Jr., memorial bridge;

Severally to the committee on Transportation.

Under suspension of the rules, on motion of Ms. Barber of Somerville, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Mr. Kaufman of Lexington, for the committee on Revenue, on a joint petition, a Bill relative to Title 5 income tax credit reform (House, No. 1539).

By the same member, for the same committee, on a petition, a Bill to broaden eligibility for relief from disproportionate property tax burdens (House, No. 1557).

By the same member, for the same committee, on a petition, a Bill relative to the sales tax of motor vehicles (House, No. 1604).

By the same member, for the same committee, on Senate, No. 1545 and House, No. 1623, a Bill relative to commuter transit benefits (House, No. 1623).

By the same member, for the same committee, on House, Nos. 2602 and 3339, a Bill relative to innocent spouses (House, No. 2602).

By the same member, for the same committee, on a petition, a Bill to promote best tax expenditure practices (House, No. 2611).

By the same member, for the same committee, on a petition, a Bill to continue tax basis rules for property acquired from decedents (House, No. 2645).

By the same member, for the same committee, on Senate, Nos. 1512 and 1568 and House, No. 3337, a Bill relative to the relief of mortgage debt (House, No. 3337).

By the same member, for the same committee, on Senate, No. 1504 and House, No. 2615, a Bill to sustain community preservation revenue (House, No. 3662).

By the same member, for the same committee, on Senate, Nos. 1581 and House, Nos. 1541, 1615 and 2608, a Bill to clarify the net-worth measure of the corporate excise (House, No. 3663).

By the same member, for the same committee, on House, Nos. 1478, 1498 and 1619, a Bill relative to bundled cellular telephone transactions (House, No. 3664).

By the same member, for the same committee, on House, No. 1482, a Bill relative to the schedule of payment of estimated corporate taxes (House, No. 3665).

By the same member, for the same committee, on House, No. 1558, a Bill to promote sales tax fairness for main street retailers (House, No. 3666).

By the same member, for the same committee, on House, No. 1645, a Bill relative to the taxation of inventory in manufacturing (House, No. 3668).

By the same member, for the same committee, on House, No. 3319, a Bill

Motor vehicle insurance,— history.

Dogs,— neglect.

Internet,— privacy.

Yarmouth,— Allaire bridge.

Route 6,— Donovan, Jr., bridge.

Title 5 income tax.

Property tax,— relief.

Sales tax,— motor vehicles.

Commuter transit.

Joint tax returns,— liabilities.

Tax expenditures,— review.

Decedents,— property.

Mortgages,— debt relief.

Community preservation.

Corporate excise.

Cellular telephones.

Corporate taxes,— schedule.

Sales tax.

Taxation,— inventory.

Earned income

clarifying eligibility for the earned income tax credit (House, No. 3669).

tax credit.

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing the City of Lowell to use land at 512 Clark Road and 512.1 Clark Road, which includes land extending into Tewksbury and is currently athletic fields and public space, and land at 438 Douglas Road and portions of 424 Douglas Road and 492 Douglas Road, which is currently a parking lot for Cawley Stadium, for the construction of a new public high school and school related purposes thereto (House, No. 3654, changed in section 1, in line 4, by striking out the figures: "242" and inserting in place thereof the figures: "243", and in section 2, in line 12, by striking out the figures: "995" and inserting in place thereof the figures: "955") [Local Approval Received].

Lowell,—
land.

By Mr. Kaufman of Lexington, for the committee on Revenue, on Senate, No. 1567 and House, No. 3324, a Bill clarifying occupancy excise and internet hotel room resellers (printed as Senate, No. 1567).

Excise tax,—
occupancy.

By the same member, for the same committee, on a petition, a Bill enhancing the volunteer service tax reduction for veterans (House, No. 1602).

Tax reduction,—
veterans.

By the same member, for the same committee, on a joint petition, a Bill establishing a recreation tax in the town of Charlemont (House, No. 2623)

Charlemont,—
recreation tax.

By the same member, for the same committee, on Senate, No. 1601 and House, No. 3303, a Bill relative to exempted accommodations (House, No. 3303).

Tax exemptions,—
accommodations.

By the same member, for the same committee, on a petition, a Bill supporting local business retention (House, No. 3352)

Local business,—
retention.

By the same member, for the same committee, on House, No. 1634, a Bill relative to local control of boat excise revenue (House, No. 3667).

Excise tax,—
boats.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the following House bills be scheduled for consideration by the House:

Authorizing the town of Boylston to continue the employment of police chief Anthony Sahagian (House, No. 1429) [Local Approval Received];

Boylston,—
police chief.

Relative to the position of director of public works in the town of West Boylston (House, No. 1433) [Local Approval Received];

West Boylston,—
public works.

Authorizing the town of Ware to exempt David A. Powers from the maximum age requirement for applying for Civil Service appointment as a firefighter (House, No. 1450) [Local Approval Received];

Ware,—
civil service.

Relative to naming a state-owned bridge in the town of Amherst after Ellen Story (House, No. 1837); and

Amherst,—
Story bridge.

Exempting all positions in the fire department of the city of Marlborough from the civil service law (House, No. 2782) [Local Approval Received];

Marlborough,—
civil service.

Under suspension of Rule 7A, in each instance, on motion of Mr. Kafka of Stoughton, the bills severally were read a second time forthwith; and they were ordered to a third reading.

Engrossed Bill.

The engrossed Bill authorizing the town of Millis to transfer a certain parcel of park land (see House, No. 1106) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Orders of the Day.

The House Bill establishing a sick leave bank for Angeline Lee, an employee of the Department of Children and Families (House, No. 3456), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Angeline Lee,—
sick leave.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.

Next
sitting.

At twenty-two minutes after eleven o'clock A.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.